

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Ruben, et al.

Application No.: 09/726,643

Filed: December 1, 2000

For: **26 Human Secreted Proteins**



Docket No.: PZ040P1

Group Art Unit: 1637

Examiner: A. Spiegler

Commissioner for Patents  
Washington, D.C. 20231

**Declaration of Dr. George Komatsoulis Under 37 C.F.R. § 1.132**

I, George Komatsoulis, do hereby declare and say:

1. I am a citizen of the United States, residing at 9518 Garwood Street, Silver Spring, MD, 20901.
2. I obtained a Ph.D. in Molecular Biology and Biochemistry from the California Institute in Technology in 1993. I have 19 years of experience in the field of molecular biology.
3. Since February 3, 1997, I have served as a scientist of Human Genome Sciences, Inc., 9410 Key West Avenue, Rockville, Maryland 20850, assignee of the captioned application.
4. I have personal knowledge that the expression of the polynucleotide of SEQ ID NO: 56 was assessed in several hundreds of libraries representing immune and non-immune human tissues, and based on this assessment, expression of the polynucleotide of SEQ ID NO: 56 was only observed in B cell lymphoma cells. More specifically, the expression was

preferentially observed in B cell lymphoma cells, as opposed to normal non-leukemic B cells and hematopoietic cells.

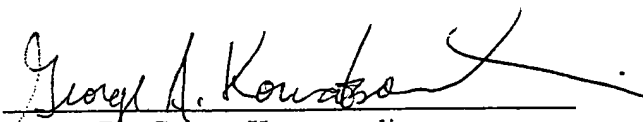
5. I have reviewed the nucleotide sequence of the polynucleotide of SEQ ID NO: 56 and, based on the following characteristics, I believe that this polynucleotide will be properly translated into a polypeptide:

- (a) the polynucleotide possesses an initiation (ATG) and a termination (TAG) signal, defining a long Open Reading Frame from nucleotide 265 to nucleotide 504 of SEQ ID NO: 56, as shown in attached **Exhibit A**;
- (b) the polynucleotide exhibits a long coding region, which encodes a polypeptide of 79 amino acids, as shown in attached **Exhibit A**; this indicates that the polynucleotide is unlikely to be non-coding;
- (c) the polynucleotide possesses an Oct-1 transcription factor recognition sequence located from nucleotide 130 to 138 of SEQ ID NO. 56 (135 bases upstream from the initiation codon);
- (d) the polynucleotide possesses a TATA box signal at nucleotide 151-155 (14 bases upstream from the initiation codon);
- (e) the polynucleotide possesses a polyadenylation signal (AATAAA) at position 1046-1051 of SEQ ID NO: 18, as shown in attached **Exhibit A**; and
- (f) the polynucleotide does not possess repeated AUUUA motifs in its untranslated 3' end, which would indicate that the corresponding mRNA is unstable.

Therefore, in view of the observed characteristics of the polynucleotide of SEQ ID NO: 56, I believe that the polynucleotide of the invention will be translated into a polypeptide.

6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so

made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States code and that such willful false statements may jeopardize the validity of the application of any patents issued thereupon.

  
\_\_\_\_\_  
Dr. George Komatsoulis

26 Aug 03  
\_\_\_\_\_  
Date

## Exhibit A

ccacgcgtcc gcaaccaggt tcaagacgag taagaggaat gcaagttatc tttttccaaa 60

aagaattggt ttcaatttaa ttaagtttta aattcgaaag gagaataatg gctcatgtaa 120

aatgtgggc **atttgc**ta agtaatatga ttgtgtgtgt gtctgtgggc atgtgtgtat 180

gacagagaga gagggagaga gagacagaga gagagagtca gtggtcagtg tctgtggatt 240

tggggacagg **atata**ttatg atac **ATG** gtc ccc tgg ttc ctt ctt tgg agt tcc ttc ttc 300  
M V P W F L L W S S F F

ata ggc aca tca tca gcc tat att gac aaa cag gta aag att gtt aga caa aaa tct 357  
I G T S S A Y I D K Q V K I V R Q K S

acc tat tgg gga gaa aaa ttt tta aaa aga tgt gaa agg gaa aga ata aaa gag agt 414  
T Y W G E K F L K R C E R E R I K E S

gaa caa tca ggc aag aga gga gaa tta aga gaa aga cag caa aag tca aat gaa gca 471  
E Q S G K R G E L R E R Q Q K S N E A

ggc tgc atc tat cag tcc att ata ctc att **TAG** ggggtgt aagtgtgctt ctctgaatct 530  
G C I Y Q S I I L I \*

gagagagtca gagtctttta agaaaggaag aattcaagat tttgcaatat ctattaggta taagaatgta 600

tttttttaaaa gttaagcaat tccaggcaac aacacatatc agatgcatgt tgtgggcaga 660

gccagggtag caagcttagg gaatcactgc aaagaaaatt gtatgtggac tttgggtttg 720

tacttgaggc aggtagacaa atatgtatga aactgtgttt gacataccta acaaaaaatcc 780

atcaatggga atttctccta ccacagcatt gcttcattgc tgacataaat gggacagaaa 840

ggaaatcttt ttttaaaaaa aaattaataa ctagttaagg ctaggatgga ataattgtgtg 900

gtgctctgcc ttgttccctg atgacatttc catttttcta aggaagaaat ctctattgat 960

ttagttttgc ctgattataa aagtaataca aatttctttc tcaaaatgca tacaaca 1017

**aataaaa**aattgat gaaaatcaaa aaaaaaaaaa aa 1052

Sequence analysis of SEQ ID NO: 21 (encoding SEQ ID NO: 56).

The recognition sequence for the transcription factor Oct-1 is shown **boxed**, the **shaded**, the TATA Box is **boxed**, and the putative polyadenylation signal is shown **bold**.